

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

COMMODITY FUTURES TRADING)	CASE NO: 7:05CV5026
COMMISSION,)	
Plaintiff,)	
vs.)	ORDER
)	TO WITHDRAW EXHIBITS
)	OR TO SHOW CAUSE WHY
)	EXHIBITS SHOULD NOT BE
)	DESTROYED
TODD J. DELAY, JACK McCAFFERY)	
and JOHN D. LAWLESS,)	
Defendants.)	

Pursuant to NECivR 79.1(f) or NECrimR 55.1(g), counsel for parties shall either 1) withdraw the following exhibits previously submitted in this matter within 15 calendar days of the date of this order, or 2) show cause why the exhibits should not be destroyed:

Exhibit number(s): Plaintiff's Exhibits (See Exhibit List attached)

Defendants' Exhibits (See Exhibit List attached)

Hearing type(s): Nonjury trial

Date of hearing(s): 5/1/06 through 5/4/06 and 5/8/06 through 5/11/06

If parties fail to withdraw these exhibits as directed or to show cause why the exhibits should not be destroyed, the clerk's office is directed to destroy the listed exhibits without further notice to the parties or order from the court.

IT IS SO ORDERED.

May 2, 2007.

s/ Richard G. Kopf
United States District Judge

**THE UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEBRASKA**

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

2006 MAY 11 PM 1:11

OFFICE OF THE CLERK

Commodity Futures Trading
Commission,

Plaintiff,

v.

Todd J. Delay, Jack McCaffery and
John D. Lawless,

Defendants.

LIST OF EXHIBITS

Case No. 7:05-cv-5026-RGK-DLP
Courtroom Deputy: Colleen Beran
Court Reporter: Digital

Trial Date(s): Monday, May 1, 2006

EXHIBIT NO.			DESCRIPTION	OFF	OBJ	RCVD	NOT RCVD	DATE
PLF	DF	3PTY						
1			Purpose of Market News (USDA-0003)	✓		✓		5-02
2			Livestock & Grain Market News ("LGMN") Instruction #102-2: Organization (USDA-0007)	✓		✓		5-02
6			LGMN Instruction #933-1: Preparation of Reports (USDA-0030)	✓		✓		5-02
11			05/20/04 Memo to File From Hugh Rooney Re: Interview of Dennis Widga		802, 602			
23			10/31/03 USDA-HY Market News Direct Feeder Cattle Price Summary For Week Ending 10/31/03 (5pgs)	✓		✓		5-02
24			05/20/04 & 07/22/04 Memo to File From H. Rooney Re: Interview of D. Widga (2pgs)	✓		✓		5-02

EXHIBIT NO. 2006								
PLF	DF	3PTY	DESCRIPTION	OF F	OBJ	RCVD	NOT RCVD	DATE
29			GAO Report Dated 2005: Livestock Market Reporting-USDA Has Taken Some Steps to Ensure Quality (52 pages)	✓		✓		5-02
31			Duane Schambach Interview of D. Widga 10/29/2003		802, 602			
32			D. Schambach Interview of T. Tippens 11/07/2003		802, 602			
35			Interview of Delay dated 11/24/2003		802, 607, 613			
36			Schambach Interview of Swords dated 11/10/03		802, 602			
37			Interview of McCaffery dated 12/11/2003		802, 607, 613			
38			Documents Reviewed by Schambach Prior To Deposition		402			
39			Documents Reviewed by Kass Prior To Deposition		402			
40			McCaffery Fax DMO 00176-00177	✓		✓		5-02
40A			DMO 00176-178; 00094-95; 00130, 00132-00134	✓		✓		5-02
41			Email From Rooney to Sandy		802, 602, 701			
42			McCaffery Letter (Bates KMZ 0001)	✓		✓		5-02
43			Letter From Schulman to Rooney Dated May 17, 2005		802, 602, 701, 901(a)			
44			Letter From Schulman to Rooney Dated May 18, 2005		802, 602, 701, 901(a)			
45			Audit Report	✓		✓		5-02
46			Email Terrell/Cook		802, 602, 701, 402			
49			Cook Spreadsheet		802, 602, 701, 402			
50			Letter From Rooney To Sandy		802, 602, 701, 402			
56			Email From Cook To Rooney		802, 602, 701, 402			
63			Spreadsheets		802, 602, 701, 901(a)			
64			USDA Cattle Report	✓		✓		5-02
69			Rooney Cook Email Traffic		802, 602, 402, 701			
70			Imperial Beef Close-outs	✓		✓		5-02
71			Imperial Beef Bill of Sale	✓		✓		5-02
73			Rosenthal Collins Group, LLC		602, 901(a)			

			Booklet B-Information and Agreements for Gary Gabriel Account# 516-65123 dated June 16, 2003					2006
74			Rosenthal Collins Group, LLC Booklet B-Information and Agreements for G. Gabriel Account # 516-65021 dated March 15, 2002	✓		✓		5-02

EXHIBIT NO.								2006
PLF	DF	3PTY	DESCRIPTION	OFF	OBJ	RCVD	NOT RCVD	DATE
76			11/25/03 Imperial Beef Bill of Sale to G. Gabriel with a Handwritten Note "Closed 2/12/04" in Top Right Corner. Includes a photocopy of G. Gabriel check dated 02/20/04 at bottom of document	✓		✓		5-02
77			NPF Settlement for Financed Cattle to G. Gabriel with a \$3,318.64 credit	✓		✓		5-02
79			11/25/03 Imperial Beef Bill of Sale to G. Gabriel for 140 Steers in Lot 2007		802, 607-613, Rule 32(a)			
80			11/25/03 Imperial Beef Bill of Sale to G. Gabriel for 659 Steers in Lot 2022BB	✓		✓		5-02
81			RCG Booklet B-Information and Agreements for Ron Beery, Account # 516-65004 dated 05/13/02 (16 pgs)	✓	602, 901(a)	✓		5-11
82			RCG Booklet B-Information and Agreements for R. Beery, Hedge Account # 516-65135 dated 07/28/03 (12 pgs)	✓	602, 901(a)	✓		5-11
83			Monthly Commodity Statement dated 10/30/03 (3 pgs)	✓		✓		5-02
84			08/14/03 Letter from T. Delay to S. Montgomery of RCG Re: Revoke Power of Attorney for specific accounts (2 pgs)					
85			NPF Settlement For Financed Cattle to R. Beery with a \$946.88 credit. Includes a handwritten note "rec'd 02/21/04 \$946.88" on top right corner of document					
86			NPF Promissory Note Dated 08/15/03 to R. Beery for Steers in Various Lots (4 pgs)					
87			NPF 10/15/03 Statement of Account to R. Beery; NPF 10/31/03 Statement of Account to R. Beery (8 pgs)					
88			NPF 11/15/03 Statement of Account to R. Beery;	✓		✓		✓

			NPF 11/30/03 Statement of Account to R. Beery (6 pgs)	✓		✓		5-02
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EXHIBIT NO.								2006
PLF	DF	3PTY	DESCRIPTION	OFF	OBJ	RC VD	NOT RCVD	DATE
89			NPF 12/15/03 Statement of Account to R. Beery; NPF 12/31/03 Statement of Account to R. Beery (3 pgs.)	✓		✓		5-02
91			Subpoena Ad Testificandum to S. Stump		402			
92			"516-CTTOD" G.Gabriel's 10/1403 Fill Block Order	✓	402, 901(a)	✓		5-02
94			RCG's Compliance Handbook	✓		✓		5-02
96			RCG Spreadsheet Created for the CFTC "A Feeder Cattle Positions For the 94 Accounts CME Believes Should Have Been Accumulated in 10/03"	✓	802, 602, 901(a)	✓		5-02
98			RCG Booklet B-Information And Agreements For Stepen Nelson	✓	602, 901(a)	✓		5-11
99			S. Nelson's Monthly Commodity Statements for 10/31/03	✓		✓		5-02
100			09/21/04 Investigative Testimony of Jack Lawless & Responses to CFTC Subpoena		802, 607-613, Rule 32(a)			
101			10/31/03 Imperial Beef Lot Invoice for Lot 2007 to G. Gabriel	✓		✓		5-02
102			02/29/04 Imperial Beef Lot Invoice for Lot 2007 to G. Gabriel					
104			03/27/04 NPF Invoice in the amount of \$2,823.25 for Difference in Gain Guarantee to Riverside Feeders					
105			11/24/03 Letter From the CFTC to Jack McCaffery Re: 10/03 Feeder Cattle Futures Contracts					
106			Spreadsheet Created by NPF Entitled "Report Of Cattle Transactions- Month Of October-North Platte Feeders"					
107			12/29/03 Letter From NPF to the CFTC Re: CFTC Questions about Three Feeder Cattle Transactions Reported to the USDA					
108			07/26/04 NPF Reply to a CFTC Subpoena Duces Tecum Re: 789 Steers	✓		✓		✓

EXHIBIT NO.								2006
PLF	DF	3PTY	DESCRIPTION	OFF	OBJ	RCVD	NOT RCVD	DATE
109			10/30/03 NPF Invoice to R. Beery Re: Requesting Payment Of \$188.67 for Lot 543	✓		✓		5-02
110			08/15/03 NPF Promissory Note to R. Beery for the Purchase of Steers from Various Lots					
111			NPF Settlement Invoice for Financed Cattle in Lot 543A for Matt Neil with a credit of \$39,648.28. Also includes Betty Kleidotsky's Handwriting on top left corner					
112			NPF Response to a CFTC Subpoena Re: Sale of Steers at Price Of \$112.10 To \$113.15 in Lots 580, 581, 582, 583, 586, 606A, 608A & 609A					
113			NPF Livestock Purchase Invoice For 10/21/03 Sale Date					
114			10/31/03 NPF Invoice to T. Delay Re: Feeder Charges for Newly Purchased Cattle in Lot 580					
115			10/16/03 NPF Invoice to T. Delay Re: Feeder Charges for Newly Purchased Cattle in Lot 580					
116			11/05/03 NPF Invoice to T. Delay Re: Feeder Charges and Future Positions for Newly Purchased Cattle in Lot 580					
117			7/26/04 NPF Response to a CFTC Subpoena Duces Tecum Re: 606 Steers not Purchased By NPF for Poor Health					
118			10/21/03 NPF Promissory Note to M. Neil for the Purchase of Steers from Several Lots					
119			NPF Settlement for Financed Cattle in Lot 543A to M. Neil with a \$39,648.28 Credit; also includes B. Kleidotsky's Handwriting on top left corner, Second Page Contains Copy of M. Neil Check for \$99,600 to NPF Dated 02/01/04					
120			11/25/03 Imperial Beef Bill of Sale to G. Gabriel with the phrase "Closed	✓		✓		✓

			2/12/04" Handwritten in Top Right Corner. Also includes a copy of G. Gabriel Check at bottom of document	✓		✓		2006
121			02/12/04 Imperial Beef Close-Out Report on G. Gabriel for Lot 2022A	✓		✓		5-02
126			NPF Settlement for Financed Cattle in Lot 543 to R. Beery with a \$946.88 credit. Photocopies of checks written to NPF on second page of document.					5-02
127			NPF Lot 606A Hard Card for Lloyd Neil & Son					
128			NPF Lot 580A Hard Card For T. Delay, L. Neil, S-K Consulting and S. Nelson					
129			2/18/03 Letter From CFTC to J. McCaffery Requesting Additional Information on Three Transactions Reported to the USDA					
130			Undated Letter from J. Lawless to H. Rooney Re: Feeder Cattle Purchases and Sales Involving T. Delay					
131			Imperial Beef Promissory Note to S. Johnson for 49.25 Steers in Lot 2007 (4 pages)					
132			09/27/03 Imperial Beef Bill of Sale to S. Johnson for Steers in Lots 2007 & 2022 with handwritten notes. Includes photocopy of S. Johnson check dated 10/20/03 to Imperial Beef for equity					
133			Imperial Beef Close-Out Report for Lot 2007 to S. Johnson					
134			09/27/03 Imperial Beef Bill of Sale to Blanton Farms Partnership. Includes photocopy of Blanton check dated 10/29/03 to Imperial Beef for equity.					
135			Imperial Beef Promissory Note to G. Gabriel for 739 Steers in Lot 2022AA (3 pages)	✓		✓		✓

EXHIBIT NO.								
PLF	DF	3PTY	DESCRIPTION	OFF	OBJ	RC VD	NOT RCVD	²⁰⁰⁴ DATE
300			USDA Report LS765 Dated October 24, 2003 (DMO 0004)	✓		✓		5-02
301			T. Delay Fax to CFTC (11/12/03) (DMO 00048)	✓		✓		5-02
302			T. Delay Fax to CFTC (11/17/03) (DMO 00051)	✓		✓		5-02
303			J. McCaffery Fax to CFTC (12/15/03) (DMO 00095)	✓		✓		5-02
304			J. McCaffery Letter to CFTC 12/29/03 (DMO 00130)	✓		✓		5-01
305			W. Kokontis Letter to J. McCaffery Dated 11/24/03 (DMO 00131)	✓		✓		5-02
306			NPF Inventory Faxed to CFTC 12/8/03 (DMO 000132-134)	✓		✓		5-01
307			J. McCaffery Fax to W. Kokontis 12/15/03 (DMO 00135-136)	✓		✓		5-01
308			CME Rulebook Chapter 102 (Feeder Cattle) & Rule 536	✓		✓		5-02
309			Chicago Mercantile Exchange Notice of Disciplinary Action (3/15/06)		402, 403, 802, 607- 613			
310A			Chicago Mercantile Exchange Report (006-2046 to 006-2323)		402, 403, 802, 607, 613			
310B			Chicago Mercantile Exchange Report (006-2046 to 006-2323) pgs 149-214, 210 pgs 255, 257, 262-264	✓	402, 403, 802, 607, 613 901(a)	✓		5-04
311			Rosenthal-Collins Revoked POA 2003 (101-00002 to 101-00004)					
314			NPF Letter To D. Terrell Dated June 8, 2004 (2 pages)	✓		✓		5-02
315			NPF Lot Info (NPF Ex. 1)	↓		↓		↓
316			NPF Lot Info (NPF Ex. 2)	↓		↓		↓
317			Lot 543 Settlements etc. (NPF Ex. 13)	↓		↓		↓
318			Lot 550 Settlements etc. (NPF Ex. 4)	↓		↓		↓
319			Lot 561 Settlements (NPF Ex. 5)	✓		✓		✓

EXHIBIT NO.								2006
PLF	DF	3PTY	DESCRIPTION	OFF	OBJ	RCV D	NOT RCVD	DATE
321			Lot 576 Settlements (NPF Ex. 7)	✓		✓		5-02
322			Promissory Notes for Lots 543, 550, 561, 562, 576 (NPF Ex. 8)					
323			NO EXHIBIT					
324			Promissory Notes and other Documentation for Lots 580, 581, 582, 583, 584, 585, 586 (NPF Ex. 11)					
325			Promissory Notes and other Documentation for Lots 580, 581, 582, 583, 584, 585, 586 (NPF Ex. 12)					
326			Promissory Notes and other Documentation for Lots 580, 581, 582, 583, 584, 585, 586 (NPF Ex. 13)					
327			Promissory Notes and other Documentation for Lots 580, 581, 582, 583, 584, 585, 586 (NPF Ex. 14)					
330			NPF Letter Health Conditions (NPF Ex. A (722B-002))					
331			NPF Letter & Weight Tickets (NPF Ex. B (722B-0003 to 0004))					
332			NPF Purchase Invoices (NPF Ex. C (722B-005 to 009))					
333			NPF Livestock Purchase Invoices, Close-Outs & Settlements (NPF Ex. E (722B-0013 to 0177))					
334			NO EXHIBIT					
335			NPF Letter on Reporting (NPF Ex. G (722B-0202))					
336			NPF Letter on Reporting (NPF Ex. H (722B-0203))					
337			NO EXHIBIT					
338			NPF Letter Re: Lack of Vet Records for Sick Cattle (NPF Ex. K (722B-0208))					
339			M. Neil Promissory Note					
340			M. Neil Check for \$99,600 Dated 02/09/04					
341			February 2004 NPF Bank Statement	✓		✓		✓

EXHIBIT NO.								2006
PLF	DF	3PTY	DESCRIPTION	OFF	OBJ	RCV D	NOT RCVD	DATE
343			NPF Check to M. Neil	✓		✓		5-02
344			NPF Check to M. Neil					
345			NPF Check to M. Neil					
346			NPF Check to M. Neil					
347			NPF Lot 580 Invoices					
348			NPF Lot 581 Invoices					
349			NPF Lot 582 Invoices					
350			NPF Lot 583 Invoices					
351			NPF Lot 584 Invoices					
352			NPF Lot 585 Invoices					
353			NPF Lot 586 Invoices					
357			03/0705 Letter from J. McCaffery to D. Terrell Re: Clerical Error					
359			NPF Lot 580 Hard Card (NPF 6724)					
360			NPF Lot 581 Hard Card (NPF 7092)					
361			NPF Lot 582 Hard Card (NPF 7370)					
362			NPF Lot 585 Hard Card (NPF 8080)					
363			NPF Lot 586 Hard Card (NPF 8359)					
364			09/22/03 T. Delay Newsletter (TC 000232)					
366			Imperial Beef Checks, Close-Outs, Settlements & Bills of Sale (710-0003 to 0183)					
367			08/03/04 Letter from J. Lawless to H. Rooney (710B-0001)					
368			Imperial Beef Close-Outs, Bills of Sales, Promissory Notes for G. Gabriel (710B-0002 to 0023)					
373			R. Beery Settlement for Financed Cattle Lot 543 (701-0013)					
374			R. Beery Close-Out Report on Lot 435 (701-0014 to 0016)					
375			R. Beery Accounts Receivable Aging List (701-0017)					
376			R. Beery Lot 543 Invoice Dated 10/21/03 (701-0018)	✓		✓		✓

EXHIBIT NO.	PLF	DF	3PTY	DESCRIPTION	OFF	OBJ	RCV D	NOT RCVD	2006 DATE
378				R. Beery Close-Out Report on Lot 550 (701-0020 to 0022)	✓		✓		5-02
379				R. Beery Accounts Receivable Aging List (701-0024)					
380				R. Beery Lot 550 Invoice Dated 10/21/03 (701-0023)					
381				R. Beery Settlement for Financed Cattle on Lot 561 (701-0025)					
382				R. Beery Lot Close-Out Report for Lot 561 (701-0026 to 0028)					
384				R. Beery Settlement for Financed Cattle on Lot 562 (701-0030)					
385				R. Beery Close-Out Report on Lot 562 (701-0031 to 0033)					
386				R. Beery Lot 562 Close-Out Dated 10/21/03 (701-0034)					
387				R. Beery Account Receivable Aging List (701-0035)					
388				R. Beery Settlement for Financed Cattle on Lot 576 (701-0036)					
389				R. Beery Lot 576 Close-Out Report (701-0037 to 0039)					
390				R. Beery Invoice on Lot 576 Dated 10/21/03 (701-701-0040)					
391				R. Beery Futures Adjustments (701-0041 to 0042)	✓		✓		✓
392				Cattle Sales (701-0043)		402, 802, 901(a)			

EXHIBIT NO.								2006
PLF	DF	3PTY	DESCRIPTION	OFF	OBJ	RCV D	NOT RCVD	DATE
394			R. Beery Statement of Account Dated 10/15/03 (701-0045 to 0047)	✓		✓		5-02
395			R. Beery Statement of Account Dated 11/30/03 (701-0035 to 0037)	✓		✓		5-02
396			M. Neil Handwritten Note (719-0003)		802, 901(a)			
397			M. Neil Notes & Records (719-0009 to 0017)		802, 901(a)			
398			M. Neil Notes & Records (719-0018 to 0023)		802, 901(a)			
399			Neil Cattle Co. Inventory (719-0046)	✓		✓		5-02
400			M. Neil Notes & Records (719-0049 to 0065)	✓		✓		5-02
402			Graph of Price Shocks		802, 602, 901(a), 701, 702			
404			Graph of T. Delay Effects		802, 602, 901(a), 701, 702			
406			Feeder Cattle Positions (CME Report p. 262-264)		802, 602, 901(a)			
407			Feeder Cattle Accumulated Positions (CME Report p. 265-267)		802, 602, 901(a)			
412			T. Delay's Hedge Exemption Request (CME Report p. 103-133)	✓		✓		5-02
413			Investor Line Borrowing (NPF 10691 to 10697)	✓		✓		5-02
414			Investor Line Reconciliation (NPF 10920)		802			
415			NPF Hedging (NPF 10944)		802			
417			NPF Response Dated 02/07/06 to CFTC Subpoena	✓		✓		5-02
418			T. Delay Declaration Dated 03/22/05		802, 607- 613			
419			J. McCaffery Declaration Dated 03/10/05		802, 607- 613			

Plaintiff reserves the right to supplement and amend this Exhibit list as to any exhibit listed by another party, as to any exhibit needed for impeachment and as to any exhibit needed for rebuttal.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

COMMODITY FUTURES TRADING
COMMISSION,

Plaintiff,

v.

TODD J. DELAY, et al.

Defendants.

Case No. 7:05cv5026
Hon. Judge Richard G. Kopf
Mag. Judge David L. Piester
Courtroom Deputy: Colleen Beran

DEFENDANT TODD J. DELAY'S
LIST OF EXHIBITS

TRIAL EXHIBIT NO.				DESCRIPTION	OFF	OBJ	RCVD	2006
DEP. EX. NO.	PLF	DF	3PTY					DATE
1				USDA Purpose of Market News (USDA-0003)	✓		✓	5-02
2				USDA Org. of Market News Branch (USDA-0007 — 0009)				
4				USDA Retention of Records and Reports (USDA-0017)				
6				USDA Prep. Of Reports (USDA-0030 — 0032)				
7				USDA Accuracy of Information (USDA-0034)				
9				USDA Prep. Of Reports (USDA-0049)				
10				USDA Standardized Weighted Average (USDA-0052)				
12				USDA Statistical Reports (USDA-0053 — 0055)				
13				USDA Ex. C: Direct Feeder Cattle Report (USDA-0059)				
14				August 9, 2004 McFall email				
15				August 26, 2004 McFall email				
17				October 24, 2003 USDA Direct Feeder Cattle Report				
19				October 22, 2003 USDA Platte Valley Auction Report				
20				October 22, 2003 USDA Bassett Livestock Auction				
21				November 21, 2003 NASS Cattle on Feed				
22				October 24, 2003 USDA National Feeder & Stocker Cattle Summary				
23				October 31, 2003 Direct Feeder Cattle Summary	✓		✓	✓

TRIAL EXHIBIT NO.									
DEP. EX. NO.	PLF	DF	3PTY	DESCRIPTION	OFF	OBJ	RCVD	DATE	
25				November 6, 2003 Miles email	✓		✓	5-82	
26				USDA Preparation of Reports (USDA0049 - 59)					
28				USDA National Feeder and Stocker Cattle Summary October 2003					
38				NPF Report on Cattle Transactions					
39A				October 24, 2003 Direct Feeder Cattle Summary					
45				September 29, 2003 Audit Report (RCG-00119 - 124)					
46				August 15, 2005 Terrell email					
49				Minimum Impact Chart					
50				July 26, 2004 Rooney email					
58				April 28, 2005 Rooney email					
68				CME Index and Breakdowns					
70				October 21, 2003 Imperial Beef Closeout Report (JDL0073 - 0078)					
71				November 25, 2003 Bill of Sale (JDLO149)					
75				October 21, 2003 Imperial Beef/Gabriel Promissory Note (710B-007 - 009)					
76				November 26, 2003 Imperial Beef/Gabriel Bill of Sale (710B-0006)					
77				October 21, 2003 Settlement for Financed Cattle Imperial Beef/Gabriel (723-0006)					
79				November 25, 2003 Imperial Beef/Gabriel Bill of Sale (710B-0002)					
80				November 25, 2003 Imperial Beef/Gabriel Bill of Sale (JDL00153)					
84				August 14, 2003 Delay letter (006-01570 -1571)					
85				October 21, 2003 NPF/Beery Settlement for Financed Cattle (701-0013)					
86				August 15, 2003 NPF/Beery Promissory Note(NPF522 - 525)					
87				October 15, 2003 NPF Statement of Account for Beery	✓		✓	✓	

TRIAL EXHIBIT NO.								
DEP. EX. NO.	PLF	DF	3PTY	DESCRIPTION	OFF	OBJ	RCVD	2006 DATE
88				November 15, 2003 NPF Statement of Account for Beery	✓		✓	5-02
89				December 15, 2003 NPF Statement of Account for Beery				
92				Gabriel Order #366 Receipt				
94				RCG Compliance Handbook (006-2109 - 006-2150)				
95				Discretionary Account Listing				
96				Feeder Cattle Positions for 94 Accounts CME believes should have been accumulated in October 2003				
101				October 31, 2003 Imperial Beef/Gabriel Lot Invoice (JDL0277)				
102				February 29, 2004 Imperial Beef/Gabriel Lot Invoice (JDL0273)				
103				Pearson Records				
104				March 27, 2004 NPF/Riverside Invoice (NP F10682)				
106				December 8, 2003 McCaffery fax				
107				December 29, 2001 McCaffery letter (DMO 00130)				
108				July 26, 2004 McCaffery letter re transaction C				
109				October 31, 2003 NPF/Beery Invoice (701-0134)				
110				August 15, 2003 NPF/Beery Promissory Note (NPF522 - 525)				
111				October 21, 2003 Matt Neil Settlement for Financed Cattle				
112				July 26, 2004 McCaffery letter re transaction D				
113				October 21, 2003 Livestock purchase invoice				
114				October 31, 2003 NPF Invoice to Todd Delay				
115				October 16, 2003 NPF Invoice to Todd Delay				
116				November 15, 2003 Invoice to Todd Delay				
118				October 21, 2003 Promissory Note Matt Neil				
119				October 21, 2003 Settlement for Financed Cattle Matt Neil	✓		✓	✓

TRIAL EXHIBIT NO.								
DEP. EX. NO.	PLF	DF	3PTY	DESCRIPTION	OFF	OBJ	RCVD	2006 DATE
120				November 25, 2003 Imperial Beef/Gabriel Bill of Sale (710B-0006)	✓		✓	5-02
121				Imperial Beef/Gabriel Lot Closeout Report (710B-0013 - 14; 710B-0011)				
122				August 14, 2003 Delay letter				
123				2004 CME Rulebook Chapter 102				
125				CME Rulebook Chapter 102				
127				Lot 606A Lot Card				
128				Various Lot Cards				
154				Deposition Exhibit 154				
164				Deposition Exhibit 164				
Delay 11		1001		October 21, 2003 Lot Closeout Report	✓		✓	✓
Delay 12		1002		October 21, 2003 Livestock Purchase Invoice Matt Neil (722B-0013 - 18)		HFO		
Delay 13		1003		November 25, 2003 Imperial Beef Gary Gabriel documents (710B-0006 - 11)	✓		✓	5-02
Lawless 7		1004		Lawless Letter to Rooney (710-0002)	✓		✓	5-02
Lawless 8		1005		June 14, 2004 Imperial Beef Lot Closeout Report (710-0025)	✓		✓	5-02
Lawless 9		1006		September 27, 2003 Imperial Beef/Johnson Bill of Sale, Promissory Notes		HFO		
Lawless 10		1007		October 21, 2003 Imperial Beef/Gabriel Promissory Note Lot 2022AA (710B-0007 - 0010)	✓		✓	5-02
Lawless 11		1008		October 21, 2003 Imperial Beef/Gabriel Promissory Note Lot 2022BB (710B-0017 - 0020)				
Lawless 12		1009		November 25, 2003 Imperial Beef/Gabriel Bill of Sale (710B-0002)				
Lawless 13		1010		November 25, 2003 Imperial Beef/Gabriel Bill of Sale (710B-0006)				
McCaff 5		1011		August 15, 2003 NPF/Gabriel Promissory Note (722-0189 - 0192)				
McCaff 6		1012		September 17, 2003 NPF/Gabriel Settlement for Financed Cattle (722-0027)	✓		✓	✓

TRIAL EXHIBIT NO.								2000
DEP. EX. NO.	PLF	DF	3PTY	DESCRIPTION	OFF	OBJ	RCVD	DATE
McCaff 7		1013		October 21, 2003 NPF Lot Closeout Report (722-0029 - 0031)	✓		✓	5-02
McCaff 8		1014		October 21, 2003 NPF/Neil Livestock Purchase Invoice	✓		✓	5-02
McCaff 9		1015		October 21, 2003 NPF/Neil Settlement for Financed Cattle		HFO		
McCaff 10		1016		January 27, 2004 check to Gabriel Sale Proceeds Lot 543 (723-0005)	✓		✓	5-02
McCaff 11		1017		September 30, 2003 NPF/S-K Consulting Promissory Note and Security Agreement (726-00004 - 00006)				
McCaff 12		1018		July 26, 2004 McCaffery letter re transaction D				
McCaff 13		1019		October 21, 2003 NPF Livestock Purchase Invoice - Transaction D				
McCaff 14		1020		September 30, 2003 NPF/Delay Settlement for Financed Cattle				
McCaff 15		1021		July 26, 2004 McCaffery letter re cattle not received				
McCaff 16		1022		December 8, 2003 McCaffery fax re October 2003 cattle transactions				
McCaff 17		1023		December 29, 2003 McCaffery letter re reported transactions (DMO 00130)				
McCaff 18		1024		July 26, 2004 McCaffery letter				
McCaff 19		1025		November 3, 2003 NPF ship tickets				
Holcomb 2		1026		October 2003 NPF Lot 543, 543A information				
Holcomb 3		1027		October 2003 NPF Lot 550, 550A information				
Holcomb 4		1028		October 2003 NPF Lot 561, 561A Lot Information				
Holcomb 5		1029		October 2003 NPF Lot 562, 562A Lot Information				
Holcomb 6		1030		October 2003 NPF Lot 576, 576A Lot Information	✓		✓	✓
Neil #1 3		1031		October 2003 Neil Cattle/Imperial Beef transaction data		HFO		
Neil #1 4		1032		October 2003 Neil Cattle/Imperial Beef Lot 723 transaction data	✓	HFO w/d	✓	5-03
Neil #1 5		1033		October 2003 Neil Cattle data re 89 steer purchase		HFO		

TRIAL EXHIBIT NO.								
DEP. EX. NO.	PLF	DF	3PTY	DESCRIPTION	OFF	OBJ	RCVD	DATE
Neil #1 6		1034		Neil Cattle data re cattle at NPF		HFO		
Neil #1 7		1035		October 2003 Neil Cattle bank statement and copies of checks		HFO		
Neil #1 8		1036		October 2003 Matt Neil REFCO account information	✓		✓	5-02
Neil #1 9		1037		October 31, 2003 Monthly Commodity Statement Matt Neil (006-01216 - 01231)		HFO		
Neil #2 2		1038		October 21, 2003 NPF/Matt Neil Promissory Note and Security Agreement	✓		✓	5-02
Neil #2 3		1039		February 1, 2004 check to NPF from Matt Neil	↓		↓	↓
Neil #2 4		1040		October 21, 2003 NPF Lot 561A data				
Neil #2 5		1041		January 23, 2004 NPF Lot 543A (722B-0014)				
Neil #2 6		1042		January 23, 2004 NPF Lot Closeout Report (722B-0015)				
Neil #2 7		1043		January 23, 2004 NPF Lot 543A Inventory Detail Report (722B-0016)	✓		✓	✓
		1044		Transaction A Lot File, Lot 721		RF		
		1045		Transaction A Lot File, Lot 723		HFO		
		1046		Transaction B lot File, Lot G6		HFO		
		1047		Transaction B Lot File, Lot 704		HFO		
		1048		Transaction C Lot File, Lot 543, 543A		HFO		
		1049		Transaction C Lot File, Lot 550, 550A		HFO		
		1050		Transaction C Lot File, Lot 561, 561A		HFO		
		1051		Transaction C Lot File, Lot 562, 562A		HFO		
		1052		Transaction C Lot File, Lot 576, 576A		HFO		
		1053		Transaction D Lot File,		HFO		
		1054		Transaction D Lot File, Lot 580		HFO		
		1055		Transaction D Lot File, Lot 581		HFO		
		1056		Transaction D Lot File, Lot 582		HFO		
		1057		Transaction D Lot File, Lot 583		HFO		

TRIAL EXHIBIT NO.								2006
DEP. EX. NO.	PLF	DF	3PTY	DESCRIPTION	OFF	OBJ	RCVD	DATE
		1058		Transaction D Lot File, Lot 584		HFO		
		1059		Transaction D Lot File, Lot 585		HFO		
		1060		Transaction D Lot File, Lot 586		HFO		
		1061		Transaction D Lot File, Lot 606A		HFO		
		1062		Transaction D Lot File, Lot 608A		HFO		
		1063		Transaction D Lot File, Lot 609A		HFO		
		1064		Transaction E Lot File, Lot 2007, 2007A	✓	HFO wa	✓	5-03
		1065		Transaction E Lot File, Lot 2022A, 2022AA	✓		✓	5-02
		1066		Transaction E Lot File, Lot 2022B, 2022BB	✓		✓	5-02
		1067		Steven Manaster CV	✓		✓	5-02
		1068		Budd Hallberg CV		R		
		1069		Marvin Hayenga CV	✓		✓	5-02
		1070		Exhibit 5; Hayenga Deposition	✓	FOM	✓	5-10
		1071		RCG Compliance Flow Chart		R		
		1072		RCG Staff Flow Chart		R		
		1073		September 9, 2004 RCG Audit Report, Dennis P. Stahr	✓		✓	5-02
		1074		September 10, 2003 RCG Audit Report, Dennis P. Stahr	✓		✓	5-02
		1075		Table 1, Expert Report of Steven Manaster	✓		✓	5-02
		1076		October 31, 2003 RCG Monthly Commodity Statement	✓		✓	5-02
		1077		October 31, 2003 Equity Run		R		
		1078		Transaction B, C, Matador Hedge Account		RF		
		1079		Transaction E Hedge Account		R		
		1080		Feel of the Market, John Harrington		RFH		
		1081		Market Perceptions Reports, Todd Delav	✓		✓	5-02
		1082		Live Cattle Weekly Reports, Moore's Research Center, Inc.		FROM		
		1083		FutureSource Calculation — Difference between the Feeder Cattle Futures and Feeder Cattle Cash Index, September 26, 2003 — October 30, 2003	✓	FROM	✓	5-10
		1084		Feeder Cattle Positions/Crush Values Chart — July 15, 2003 — October 23, 2003		FROM		

TRIAL EXHIBIT NO.								
DEP. EX. NO.	PLF	DF	3PTY	DESCRIPTION	OFF	OBJ	RCVD	2006 DATE
		1085		Columbus RCG Short/Long Feeder Cattle Futures and Short/Long Call Options - October 2003	✓		✓	5-02
		1086		Annual Cattle Placed v. Cattle Direct Reported 2002 - 2004		FROM		
		1087		Eligible Cattle Controlled by Delay Group Not Sold or Reported to USDA October 2003		FR		
		1088		Gary Gabriel Tickets	✓		✓	5-02
		1089		Feeder Cattle Tickets October 2003	✓		✓	5-02
		1090		Rule 956 Discretionary, Controlled and Managed Accounts	✓		✓	5-02
		1091		August 15, 2005 Rooney email	✓		✓	5-02
		1092		August 9, 2005 Cook email	✓		✓	5-02
		1093		Wells Submission Ex. 1A		FOM		
		1094		Wells Submission Ex. 2	✓		✓	5-02
		1095		Wells Submission Ex. 3	✓		✓	5-02
		1096		Wells Submission Ex. 9		R		
		1097		Wells Submission Ex. 10	✓		✓	5-02
		1098		Wells Submission Ex. 12	✓		✓	5-02
		1099		Wells Submission Ex. 14	✓		✓	5-02
		1100		Wells Submission Ex. 17		F		
		1101		Neil Cattle Company formation papers	✓		✓	5-02
		1102		Neil Cattle Company Lot data, Lots 721, 723, 724		FH		
		1103		Urgent Notice to RCG re allocation of trades in controller accounts - Delay's Exhibit 3 from CME Hearing		R		
		1104		Sam Stump Equity Runs - Delay's Exhibit 4 from CME Hearing	✓		✓	5-02
		1105		RCG Account Controller Forms - Delay's Exhibit 5 from CME Hearing				
		1106		Stipulated Documents from CME Hearing, pages 48 - 52				
		1107		Stipulated Documents from CME Hearing, pages 99 - 102				
		1108		Stipulated Documents from CME Hearing, pages 103 - 133				
		1109		Stipulated Documents from CME Hearing, pages 134 - 148	✓		✓	✓

TRIAL EXHIBIT NO.								2006
DEP. EX. NO.	PLF	DF	3PTY	DESCRIPTION	OFF	OBJ	RCVD	DATE
		1110		Stipulated Documents from CME Hearing, pages 149 - 240	✓		✓	5-02
		1111		Stipulated Documents from CME Hearing, pages 241 - 245	↓		↓	↓
		1112		Stipulated Documents from CME Hearing, pages 252	↓		↓	↓
		1113		Stipulated Documents from CME Hearing, pages 256 - 257	↓		↓	↓
		1114		Stipulated Documents from CME Hearing, pages 258 - 259	↓		↓	↓
		1115		Stipulated Documents from CME Hearing, pages 260 - 261	↓		↓	↓
		1116		NPF/Stephen Nelson Promissory Notes	↓		↓	↓
		1117		USDA Nebraska Weekly Feeder Cattle Auction Summary October 2003	✓		✓	✓
		1118		Moore's Research Center 2006 Report		R		
		1119		CME Investigation Report, pages 170, 173-174; 177 - 178; 241 - 244	✓		✓	5-02

OBJECTIONS**R: Relevancy****H: Hearsay****A: Authenticity****O: Other (specify)**

Exhibits 1002, 1006, 1015, 1031, 1032, 1033, 1034, 1035, 1037, 1045-1064 the hearsay objections go to the handwritten portions of the documents.

Exhibits 1046-1064 as discussed in my e-mail are too voluminous for meaningful review and we reserve all objections to the 5,300+ pages therein

F: Foundation**M: Misleading**

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

COMMODITY FUTURES TRADING
COMMISSION,
v. Plaintiff,

TODD J. DELAY, JACK MCCAFFERY and
JOHN D. LAWLESS,
Defendants.

**DEFENDANT MCCAFFERY'S
LIST OF EXHIBITS - WITH
PLAINTIFF'S OBJECTIONS
NOTED**

Case No. 7:05-cv-5026- RGK-DLP
Courtroom Deputy: Colleen Beran
Court Reporter:

Trail Date: May 1, 2006

EXHIBIT NO.									2006
PLF	DF	3 PTY	DESCRIPTION	OFF	OBJECT	RCV D	NOT RCVD	DATE	
I. MCCAFFERY EXHIBITS									
	2001		Neil Certificate dated July 27, 2004 (719-0048)	✓		✓			5-02
	2002		Neil Cattle Co. Minutes of First Meeting dated 10/4/1999	✓		✓			
	2003		Minutes of the Meeting of the Incorporator of Neil Cattle Co. dated 10/5/1999	✓		✓			
	2004		Neil handwritten explanation of Lot 723 (719-0009)	✓		✓			
	2005		Group exhibit Neil Cattle Co. records showing purchase of Transaction A cattle	✓		✓			
	2006		Neil handwritten explanation of Transaction A cattle health and performance (719-0049)	✓		✓			
	2007		Neil Cattle Co. records - cattle performance Lots 723 and 724	✓		✓			
	2008		Procurement records Transaction B cattle	✓		✓			
	2009		Riverside Feeder Cattle In Report (RF007)	✓		✓			
	2010		North Platte feeders Cattle Receiving Report and Records Transaction B - Lot G6 (NPF 10739 — NPF 10746)	✓		✓			✓

EXHIBIT NO.								
PLF	DF	3 PTY	DESCRIPTION	OFF	OBJECT	RCV D	NOT RCVD	DATE
	2011		North Platte Feeders Cattle Freight Records (NPF9021 — NPF9024)	✓		✓		2006 5-02
	2012		Pasture Lease Agreement dated June 6, 2003					
	2013		Records from Riverside shipping cattle to North Platte Feeders (NPF9412 — NPF9414)					
	2014		Lot G6 sample feed invoices					
	2015		North Platte Feeders 11/3/2003 cattle receiving report (NPF9406, 9409, 9410, 9411, and 9498)					
	2016		Transmittal of Pasture Credit Invoice to Riverside Feeders (NPF9008 — NPF9010)					
	2017		Lot closeout report Lot 704 (NPF9178, 9179 and 9180)					
	2018		Settlement for financed cattle Lot 704 (Beery example)					
	2019		Pasture adjustment invoices (NPF8997 — NPF9004)					
	2020		Pasture adjustment checks (NPF8991 — NPF8992)					
	2021		Lot G6 closeout (NPF8969 — NPF8971)					
	2022		Procurement Lot 543 cattle (NPF5026, 5027 and 4680)					
	2023		NPF Lot 543 receiving report dated 9/17/2003 (NPF-4752)					
	2024		Delay Group 2 livestock purchase invoice Lot 543 (NPF5017)					
	2025		Delay Group 2 promissory notes for various lots including the Transaction C cattle (NPF510 — NPF592)					
	2026		Delay Group 2 invoices (final) for feed and care Lot 543 9/30/ 2003 through 10/21/2003 (NPF4836 — NPF4920)					
	2027		McCaffery . explanation of Transaction C weight estimate process					
	2028		Group 2 lot closeout Lot 543					
	2029		Settlement sheets with backup for group 2 sale to NPF on 10/21/2003					
	2030		Lot 543 accounts receivable aging list	✓		✓		✓

EXHIBIT NO.								2006
PLF	DF	3 PTY	DESCRIPTION	OFF	OBJECT	RCV D	NOT RCVD	DATE
	2031		NPF 11/13/2003 shipping report for one head out of Lot 543A with attached supporting documentation (NPF4584 — NPF 4590)	✓		✓		5-02
	2032		Feed bills and calculations to transfer feed and care from North Platte Feeders to Neil (NPF4824 — NPF 4835)	✓		✓		5-02
	2033		Invoice to Neil for Lots 543A, 550A, 561A, 562A and 576A	✓		✓		5-02
	2034		Neil promissory note for Transaction C cattle (see also deposition Exhibit 118)	✓		✓		5-02
	2035		Records showing receipt of Neil equity money (NPF1177 and 1178)	✓		✓		5-02
	2036		Lot closeout reports for Transaction C cattle Neil ownership	✓		✓		5-02
	2037		Settlement records for Transaction C cattle (Neil ownership)		H, F			
	2038		Lot closeout reports Transaction C cattle Delay Group ownership	✓		✓		5-02
	2039		Settlement and payment of proceeds to Delay Group 2 — Transaction C cattle	✓	H, F	✓		5-09
	2040		Profit analysis Transaction C cattle	✓		✓		5-02
	2041		Records on group 2 hedge position closeout Delay Transaction C cattle	✓	H, F	✓		5-08
	2042		Records on equity money delays Transaction C Delay Group 2	✓	H, F	✓		5-08
	2043		Cattle receiving records 1444 head of Transaction D cattle	✓	H, F	✓		5-08
	2044		Lot 580 North Platte Feeders feeding invoices	✓		✓		5-02
	2045		North Platte Feeders yard sheet 10/15/2003 report	✓		✓		5-02
	2046		Livestock purchase invoice 1444 head of Transaction D cattle to ownership group of four	✓		✓		5-02
	2047		Promissory notes and equity money receipt for the 1444 head of cattle to the ownership group of four in Transaction D	✓		✓		5-02
	2048		Lot closeout for 1444 head — Transaction D		H, F			
	2049		Settlement sheets Lot 580 Todd Delay	✓		✓		5-02

EXHIBIT NO.								2006
PLF	DF	3 PTY	DESCRIPTION	OFF	OBJECT	RCV D	NOT RCVD	DATE
	2050		Settlement sheets Lot 580 Lloyd Neil & Son	✓		✓		5-02
	2051		Settlement sheets Lot 580 Stephen Nelson	✓		✓		5-02
	2052		Settlement sheets Lot 580 S-K Consulting	✓		✓		5-02
	2053		Feed invoices for Lots 581 through 586	✓		✓		5-02
	2054		Procurement records Lot 606	✓		✓		5-02
	2055		Invoice records Lot 606	✓		✓		5-02
	2056		Invoice records Lot 606	✓		✓		5-02
	2057		Livestock purchase invoice dated 10/21/2003 for Lot 606A	✓		✓		5-02
	2058		Lloyd Neil & Son receiving report Lot 606A		H, F			
	2059		Feed invoice records Lot 606A	✓		✓		5-02
	2060		Disbursement of packer proceeds Lot 606		H, F			
	2061		Procurement records Lot 608	✓		✓		5-02
	2062		Livestock purchase invoice Lot 608	✓		✓		5-02
	2063		Cattle receiving records Lot 608		H, F			
	2064		Packer disbursement records Lot 608	✓		✓		5-02
	2065		Receiving records Lot 609	✓		✓		5-02
	2066		Livestock purchase invoice Lot 609	✓		✓		5-02
	2067		Cattle receiving report Lot 609		H, F			
	2068		Packer proceeds disbursement Lot 609	✓		✓		5-02
	2069		Charts A and B prepared by Rakestraw		F			
	2070		Rakestraw resume	✓		✓		5-02
	2071		Chart prepared by Hutcheson — estimated weight all Transaction C cattle	✓	F	✓		5-09
	2072		Chart prepared by Hutcheson — estimated weight Transaction C cattle by lot	✓	F	✓		5-09
	2073		Hutcheson resume	✓		✓		5-02
	2074		Holcomb prepared Table 1	✓		✓		5-02
	2075		Holcomb prepared Table 2	✓		✓		5-02
	2076		Holcomb prepared historical	✓		✓		5-02

EXHIBIT NO.								2006
PLF	DF	3 PTY	DESCRIPTION	OFF	OBJECT	RCV D	NOT RCVD	DATE
			performance steers gaining over 4 pounds a day	✓		✓		5-02
	2077		Holcomb table — historical performance steers gaining over 4.29 pounds a day	✓		✓		502
	2078		Holcomb resume	✓		✓		502
	2079		Transcript of proceedings CFTC Commissioners November 5, 2004, feeder cattle discussion	✓		✓		502
	2080		Transcript of proceedings CFTC Commissioners' April 15, 2005 feeder cattle discussion	✓		✓		5-02
	2081		Transcript of proceedings Commission Meeting of August 12, 2005 feeder cattle discussion	✓		✓		502
	2082		Video North Platte Feeders feedlot	✓	F, 403	✓		5-02 < demonstrative only
	2083		Demonstrative exhibit, Transaction A outline		OK Demonstrative Not as substantive evidence			
	2084		Demonstrative exhibit; Transaction B outline		OK Demonstrative Not as substantive evidence			
	2085		Demonstrative exhibit, Transaction B cattle weight estimate		OK Demonstrative Not as substantive evidence			
	2086		Demonstrative exhibit, Transaction C outline		OK Demonstrative Not as substantive evidence			
	2087		Demonstrative exhibit, Transaction D outline		OK Demonstrative Not as substantive evidence			
			All Exhibits listed by any other party	✓		✓		5-02
			All Exhibits needed for impeachment	✓		✓		5-02
			All Exhibits needed for rebuttal	✓		✓		5-02

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

COMMODITY FUTURES TRADING
COMMISSION

Plaintiff(s),

v.

TODD J. DELAY,

Defendant(s).

COURTROOM EXHIBIT LIST

BEFORE: RICHARD G. KOPF

U.S. District Judge

Case No: 7:05CV5026

Date: May 1 - 4, 8 -11, 2006

Deputy: Colleen Beran

Court Reporter: Digital

Trial held on May 1 - 4, 8 - 11, 2006

EXHIBIT NO.								
PLF	DFT	3 PTY Court	DESCRIPTION	OFF	OBJ	RCVD	NOT RCVD	DATE
		1	Memorandum by Court-Assumptions	X		X		5/11/06
	1		September live cattle index May-October (demonstrative exhibit)	X		X		5/10/06
	2		Feeder Cattle Index-October 03 (demonstrative exhibit)	X		X		5/10/06
	3		September 03 Future Index May-Oct (demonstrative)	X		X		5/10/06
	9		Transaction A-606 Head of Cattle (demonstrative)	X		X		5/10/06
	10		Transaction B - 124 Head of Cattle (demonstrative)	X		X		5/10/06
	11		Transaction C - 666 Head of Cattle (demonstrative)	X		X		5/10/06
	12		Transaction D - 1598 Head of Cattle (demonstrative)	X		X		5/10/06
	13		Transaction E - 1538 Head of Cattle (demonstrative)	X		X		5/10/06

	15		2003 Cattle Placed on Feed vs. Cattle Direct Reported (demonstrative)	X		X		5/10/06
	16		Delay Cattle Holdings for Aug-Oct. (demonstrative)	X		X		5/10/06
	17		2004 Cattle Placed on Feed vs. Cattle Direct Reported (demonstrative)	X		X		5/10/06
	19		Delay Personal Accounts (demonstrative)	X		X		5/10/06
	20		Eligible Cattle Owned by Delay Group Not Sold or Reported to USDA Oct 03 (demonstrative)	X		X		5/10/06
	21		2002 Cattle Placed on Feed vs. Cattle Direct Reported (demonstrative)	X		X		5/10/06
	22		October Feeder Cattle Cash-Futures 2000-2003 Last 25 Trading Days (demonstrative)	X		X		5/10/06
	1120		RCG Columbus Customer Feeder Cattle position with defendant's position regarding aggregation.	X		X		5/09/06
	1121		Letter from CFTC to Mr. McCaffery dated 12/19/03	X		X		5/08/06
	1122		Deposition of Wade Horton	X		X		5/10/06
	1123		Deposition of Charles Flaming	X		X		5/10/06
420			Deposition Designations	X		X		5/08/06
421			Transcript designations of Carma Johnson	X		X		5/08/06